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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10 022,506	12 20 2001	Yoshikazu Miyajima	862.C2476	2840

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EXAMINER

FULLER, RODNEY EVAN

ART UNIT PAPER NUMBER

2851

DATE MAILED: 01/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/022,506

Applicant(s)

MIYAJIMA ET AL.

Examiner

Rodney E Fuller

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2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-39 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-39 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on 20 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings*

1. Figures 1, 19A, 19B and 20-22 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-39 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- i. In claims 1, 2, 5, 9, 14, 33, 36 and 37, it is unclear whether the phrase "for cutting off transmission of a reaction force and/or an external vibration to the exposure apparatus in driving the stages" is referring to the "driving unit," the "linear motor," or the "control power."
- ii. Claims 16-32, 38 and 39 depend from claim 1 and therefore include the deficiencies of claim 1.
- iii. Claims 3 and 4 depend from claim 2 and therefore include the deficiencies of claim 2.

- iv. Claims 6-8 depend from claim 5 and therefore include the deficiencies of claim 5.
- v. Claims 10-13 depend from claim 9 and therefore include the deficiencies of claim 9.
- vi. Claim 15 depends from claim 14 and therefore includes the deficiencies of claim 14.
- vii. Claims 34-35 depend from claim 33 and therefore include the deficiencies of claim 33.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 2, 5, 9, 14, 33, 36 and 37 are rejected under 35 U.S.C. 102(b) as being anticipated by Korenaga (US 6,002,465).

Regarding claims 1, 2, 5, 9, 14, 33, 36 and 37, Korenaga (US 6,002,465) discloses "an exposure apparatus for exposing a substrate (Fig. 10, ref.# W) to a pattern on a master surface (Fig. 10, reticle on ref.# B), comprising a driving unit (Fig. 10, ref.#s B, E) for moving master and substrate stages."

Note: The limitations of the claims related to the "linear motor" are in the alternative to the "driving unit." Thus, Korenaga (US 6,002,465) does not need to

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specifically disclose the limitations related to the "linear motor" in order to read on the claims.

***Claim Objections***

4. Claims 3, 4, 6-8, 10-13, 15-32, 34, 35, 38, 39 are objected to because of the following:

The dependent claims (claims 3, 4, 6-8, 10-13, 15-32, 34, 35, 38, 39) are directed towards further limiting the structure of the "linear motor" and/or the associated "coil." However, since the "linear motor" set forth in the independent claims is in the alternative to the "driving unit," Korenaga (US 6,002,465) does not need to disclose the specific limitations set forth in the dependent claims.

Appropriate correction is required.

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Chitayat (US 5,519,266), Hansen (US 4,760,294), and Korenaga (JP 200209838 A) each disclose a linear motor that "...has a coil foil formed by winding a foil-like conductor having an insulating layer in a multilayered structure."

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rodney Fuller whose telephone number is (703) 306-5641. The examiner can normally be reached on Monday through Friday from 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams, can be reached on (703) 308-2847.

Rodney Fuller  
Primary Examiner

A handwritten signature in black ink, appearing to read 'R. Fuller', is written over the printed name of the examiner.

January 7, 2003